

House Bill 793

By: Representatives Stanley-Turner of the 53<sup>rd</sup>, Coan of the 101<sup>st</sup>, Amerson of the 9<sup>th</sup>, and Franklin of the 43<sup>rd</sup>

A BILL TO BE ENTITLED  
AN ACT

To amend Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to licenses to carry pistols or revolvers and temporary renewal permits, so as provide that a person convicted of a felony offense arising out of the unlawful manufacture, distribution, possession, or use of a controlled substance or other dangerous drug shall be ineligible to obtain such license; to redefine the term "convicted" for such purposes; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Code Section 16-11-129 of the Official Code of Georgia Annotated, relating to licenses to carry pistols or revolvers and temporary renewal permits, is amended by striking paragraph (5) of subsection (b) and inserting in lieu thereof the following:

"(5)(A) Any person, the provisions of paragraph (3) of this subsection notwithstanding, who has been convicted of ~~an~~ a felony offense arising out of the unlawful manufacture, distribution, possession, or use of a controlled substance or other dangerous drug.

(B) As used in this paragraph, the term:

(i) 'Controlled substance' means any drug, substance, or immediate precursor included in the definition of controlled substances in paragraph (4) of Code Section 16-13-21.

(ii) 'Convicted' means a plea of guilty, a finding of guilt by a court of competent jurisdiction, the acceptance of a plea of nolo contendere, or the affording of first offender treatment by a court of competent jurisdiction, unless and until discharged without adjudication of guilt and exonerated as otherwise provided by law, irrespective of the pendency or availability of an appeal or an application for collateral relief.

(iii) 'Dangerous drug' means any drug defined as such in Code Section 16-13-71."

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- SECTION 2.
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- All laws and parts of laws in conflict with this Act are repealed.